

**Remarks**

Claims 1-12 are pending.

Claims 1, 3, 5-6, 10 and 12 are amended.

Claims 2 and 9 have been cancelled.

Claims 13 and 14 are added.

Claims 1, 3-8, 10-14 are submitted herein for review.

No new matter has been added.

In the Office Action, the Examiner has rejected claims 1-12 under 35 U.S.C. 112.

Applicant has amended the claims accordingly and respectfully requests that these rejections be withdrawn.

Turning to the substantive rejections, the Examiner has rejected claims 1-12 under 35 U.S.C. § 102(e) as being anticipated by Kawan (U.S. Patent Publication No. 20020006512). Applicant respectfully disagrees with the Examiner and submits the following remarks in response.

Independent claim 1 is directed to a device having a housing wherein is accommodated a radio-frequency contactless communication station having an antenna for communicating electromagnetically in a remote manner with a data medium, in the form of a card, carried by a

user. The housing has a communication area close to the antenna which is permeable to electromagnetic waves. The user brings the data medium close to the communication area to enable communication between the station and said medium, where the communication area comprises an external surface inclined to a horizontal plane.

The communication surface co-operates with the an arrangement for holding the data medium against the communication surface. The arrangement for holding the data medium has a lower transverse retaining surface that extends forward from the communication surface to prevent the data medium from sliding downward. The arrangement for holding data medium further includes a provision for evacuating liquids via gravity.

In this application the device has a communication surface that has an arrangement for holding the data medium pressed against the communication surface. This ensures prolonged use of card, without the user having to hold the card pressed against the communication surface by hand throughout the transaction.

The cited prior art, namely Kawan discloses a method and system of smart card banking utilizing a contactless communicaiton interface, such as an infrared or a wireless or radio frequency interface, including a proximity interface.

Applicant respectfully submits that the Kawan reference does not disclose all of the elements as claimed in claim 1. For example, Kawan does not describe an arrangement for evacuating liquid which is configured for letting the liquids evacuate by flowing via gravity.

Application No. 10/547,662  
Amendment Dated August 13, 2009  
Reply to Office Action Dated February 13, 2009

Instead, in Kawan the shape of the bar is such that liquids stay on it as long as someone manually wipes the liquid.

For at least this reason Applicant submits that the cited prior art does not teach or suggest all of the elements of claim 1 and respectfully requests that the rejection of this claim be withdrawn. As claims 3-8 and 10-14 depend from claim 1, these claims should be allowed for at least the same reason.

Applicant respectfully submits that pending claims 1, 3-8, and 10-14 are in condition for allowance, the earliest possible notice of which is earnestly solicited. If the Examiner feels that an interview would facilitate the prosecution of this Application they are invited to contact the undersigned at the number listed below.

Respectfully submitted,  
SOFER & HAROUN, L.L.P.

By     /Joseph Sofer/      
Joseph Sofer  
Reg. No 34,438  
317 Madison Avenue  
Suite 910  
New York, NY 10017  
(212) 697-2800  
Customer No. 39600

Dated: AUGUST 13, 2009